

# Grant County Planning Commission

## July 25<sup>th</sup>, 2005

The July 25 2005 regular meeting of the Planning Commission was called to order by Chairman John Lawrence at 7:00 p.m.

Those in attendance: John Lawrence, Bill Marksberry, Vernon Webster, Nick Kinman, Nancy Duley, Howard Brewer, Marvin Faulkner, Attorney: Tom Nienaber, Engineer: Ray Erpenbeck, Becky Ruholl

There was a quorum present.

### **ITEM 1: JUNE MINUTES**

Howard Brewer made a motion to approve the June meeting minutes, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

### **ITEM 2: JUNE FINANCIAL REPORT**

Nick Kinman made a motion to approve the June financial report, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

### **ITEM 3: ADMINISTRATORS REPORT**

Marvin Faulkner made a motion to make Becky Ruholl interim Zoning Administrator, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

### **ITEM 4: MAP AMENDMENT -Harvey**

**APPLICANT:** Dwight Harvey

**GENERAL LOCATION:** Located North side of Sherman Newtown Road, 1.4 miles East of US. RT. #25, Dry Ridge, KY 41035

**REQUEST:** Agricultural One (A-1) to Residential One - A (R-1A).

Chairman John Lawrence declared the public hearing open.

Mr. Harvey said that his request was to rezone the property so that his daughter could build a home on the lot.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

Chairman John Lawrence stated that Jonathan Britt had prepared the recommendations for the zone changes at this meeting.

Chairman John Lawrence read the recommendations which read: Staff recommends approval of the proposed zone change request because the application does appear to be in compliance with the Adopted Comprehensive Plan. The findings of facts are as follows: 1. The roadway should be sufficient to handle any additional traffic generated by the proposed development. 2. There should be no adverse impact on the availability of police and fire protection to the area. 3. The Comprehensive Plan does allow for "limited residential development in agricultural areas" when the area is well suited for this type of development...this appears to be the case in this situation.

Marvin Faulkner made a motion to recommend approval of the zone change request based on the finding of fact stated during the public hearing, that the proposed development would be in compliance with the current Comprehensive Plan. Howard Brewer seconded the motion. A roll call vote was taken: Bill Marksberry: yes, Vernon Webster: yes, Nick Kinman: yes, Nancy Duley: yes, Howard Brewer: yes, Marvin Faulkner: yes. Motion passes.

### **ITEM 5: MAP AMENDMENT - Shanks**

**APPLICANT:** James Shanks

**GENERAL LOCATION:** Northwest side of Kentucky Route # 467, 0.1 miles Northwest of Old Warsaw Road and 2980 Warsaw Road, Dry Ridge, KY 41035

**REQUEST:** Agricultural One (A-1) to Rural Residential (R-R).

Chairman John Lawrence declared the public hearing open.

Mr. Shanks said that his request was to rezone 2 pieces of property. He said that one piece currently has a home on it and the other 4 acres would be sold for a home site.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

Chairman John Lawrence read the recommendation which read: Staff recommends approval of the proposed zone change request, with conditions, because the application does appear to be in compliance with the Adopted Comprehensive Plan. The findings of fact are as follows: 1. The roadway should be sufficient to handle any additional traffic generated by the proposed development. 2. There should be no adverse impact on the availability of police and fire protection to the area. 3. The Comprehensive Plan does allow for "rural residential" housing when the area is well suited for this type of development. Conditions: 1. The property owner should agree to leave the 3.6928 Acre tract as a whole and not further subdivide. Further subdivision would lead to the proliferation of septic tanks in the area and could cause a safety hazard for encroachment onto the roadway. 2. The property owner should provide the Planning Commission office with an encroachment permit for the proposed tracts in question.

Mr. Shanks stated that they did agree to the recommended conditions.

Nancy Duley made a motion to recommend approval of the zone change request based on the finding of fact stated during the public hearing, that the proposed development would be in compliance with the current Comprehensive Plan with the conditions that the property owner leave the 3.6928 acre tract as a whole and not further subdivision the lot and the property provide the Commission office with an encroachment permit for the tracts. Marvin Faulkner seconded the motion. A roll call vote was taken: Bill Marksberry: yes, Vernon Webster: yes, Nick Kinman: yes, Nancy Duley: yes, Howard Brewer: yes, Marvin Faulkner: yes. Motion passes.

#### **ITEM 6: MAP AMENDMENT - Woodyard**

**APPLICANT:** Tammy Woodyard

**GENERAL LOCATION:** Located on the East side of Ky. #1132, 1.1 miles south of Fords Mill Road, Dry Ridge, KY 41035

**REQUEST:** Agricultural - One (A-1) to Rural Residential (RR).

Chairman John Lawrence declared the public hearing open.

Mrs. Woodyard said that she had sold 111 acres and wanted her daughter to have property for a home.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

Chairman John Lawrence read the recommendations which read: Staff recommends approval of the proposed zone change request because the current zoning classification does appear to be inappropriate or improper and the requested zoning classification does appear to be appropriate or proper since the roadway does split the property from the parent tract. The findings of fact are as follows: 1. The roadway should be sufficient to handle any additional traffic generated by the proposed development. 2. There should be no adverse impact on the availability of police and fire protection to the area. 3. The roadway does split, with significant amount of right-of-way, this property from the remaining portion of the property and therefore the zoning classification of A-1 is inappropriate.

Nick Kinman made a motion to recommend approval of the zone change request based on the finding of fact stated during the public hearing, that the current zoning is inappropriate and the proposed zoning is appropriate. Howard Brewer seconded the motion. A roll call vote was taken: Bill Marksberry: yes, Vernon Webster: yes, Nick Kinman: yes, Nancy Duley: yes, Howard Brewer: yes, Marvin Faulkner: yes. Motion passes.

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**ITEM 7: MAP AMENDMENT - Alexander**

**APPLICANT:** Roy Alexander

**GENERAL LOCATION:** Located on the South side of Elliston Mt. Zion Road, approximately 1.1 miles Southwest of Vallandingham Road, Dry Ridge, KY 41035

**REQUEST:** Agricultural One (A-1) to Residential One (R-1A)

Chairman John Lawrence declared the public hearing open.

Tim Beach, representing the applicant, stated that the request was to divide the 2.375 acres into 2 tracts for stick build homes. He said that the driveways and septic had been approved.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

Chairman John Lawrence read the recommendations which read: Staff recommends denial of the proposed zone change request because the application does not appear to be in compliance with the Adopted Comprehensive Plan and the conflicting or hodge-podge of zoning does not fit with the general character of the area. The applicant should seek a rural residential zoning classification which would require a minimum of three (3) acres that could then be cut into two (2) 1.5 acre tracts. This may lessen the burden on all elements that surround the property and seek to lessen in conflict with surrounding land uses. If we are truly seeking that only "stick-built" homes being placed on the property, then the Commission and the applicant can make this a condition in the Rural Residential zoning classification and furthermore it should have been a condition placed on the land recently changed to the Rural Residential zone by the Commission or the Grant Fiscal Court.

Chairman John Lawrence asked Mr. Beach if the setbacks could be met. Mr. Beach said that they could be met. He said that the other lots that Mr. Britt was referring to were on Blair Road and property is on the stated road. He said that raising the acreage to 3 acres would not make any difference. He said that there would still only be 2 stick build homes.

Nancy Duley asked what the difference was in the R1A and the RR zone. Becky Ruholl stated that they have different setbacks, the Rural Residential zone is a minimum of 3 acres that can then be divided into 2 1.5 acre lots and the Rural Residential zone allows for manufactured homes.

Howard Brewer made a motion to recommend approval of the zone change request based on the finding of fact stated during the public hearing, that the request is in compliance with the Comprehensive Plan based on the facts stated that the property will be divided into 2 lots, the property will have stick build homes only, the property has adequate road frontage, there are no problems with sight distance for driveway and the proposed lots are consistent with the area around this property. Nick Kinman seconded the motion. A roll call vote was taken: Bill Marksberry: yes, Vernon Webster: yes, Nick Kinman: yes, Nancy Duley: yes, Howard Brewer: yes, Marvin Faulkner: yes. Motion passes.

**ITEM 8: LEXINGTON TRAILS SECTION 2 - IMPROVEMENT PLAT**

Chairman, John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat with the following condition: that no construction be permitted to proceed until all the street paving in Section 1 and Section 2 Phase 1 have been properly completed per the Subdivision Regulations.

Logan Murphy stated that they agreed to that condition.

Nick Kinman made a motion to approve the plat with the condition that no construction be permitted to proceed until all the street paving in Section 1 and Section 2 Phase 1 have been properly completed per the Subdivision Regulations, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Vernon Webster asked when the developer was going to build the pool that he has promised he would build. Logan Murphy said that all he could do was ask the developer.

Mr. Nienaber said that if the developer agreed to build a pool and clubhouse and that was a condition of approval of the zone change and the County made that a condition of the zone change the Commission can prevent further development until the pool and clubhouse are built. He said that the Commission has the ability to enforce it if it was made a condition of the Zone Change approval.

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Vernon Webster said that he didn't know if it was a condition of the Zone Change or not and that the clubhouse was built but the pool had not been built. Mr. Nienaber said that the Commission could table this plat and see if a condition was placed on the zone change. The Commission decided that they would see if there was a condition on the zone change and discuss it at their next meeting.

**ITEM 9: CONVEYANCE PLATS - JUNE**

Marvin Faulkner made a motion to approve the June Conveyances, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

**ITEM 10: EXECUTIVE SESSION**

none

**ITEM 11: OTHER BUSINESS**

Chairman, John Lawrence said that new officers would be elected at the next meeting. He said that a committee needed to be formed for nominations. The nomination committee will consist of: Howard Brewer, Marvin Faulkner and Nancy Duley.

**ITEM 12: ADJOURNMENT**

Nick Kinman made a motion to adjourn, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

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**JOHN LAWRENCE, CHAIRMAN - DATE**

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**NICK KINMAN, SECRETARY - DATE**

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